

## § 1054.250

## 40 CFR Ch. I (7–1–11 Edition)

emissions on each fuel type at each test point.

(4) You may perform maintenance on emission-data engines as described in § 1054.125 and 40 CFR part 1065, subpart E. If you change one or more spark plugs on an emission-data engine as allowed under § 1054.125, you must measure emissions before and after this maintenance. If you clean or change an air filter on an emission-data engine as allowed under § 1054.125, you must measure emissions before and after every second time you perform this maintenance. Use the average values from these two measurements to calculate deterioration factors. The emission-data engine must meet applicable emission standards before and after maintenance to be considered in compliance, as described in § 1054.240(a) and (b).

(5) Calculate your deterioration factor using a linear least-squares fit of your test data, but treat the low-hour test point as occurring at hour zero. Your deterioration factor is the ratio of the calculated emission level at the point representing the full useful life to the calculated emission level at zero hours.

(6) If you test more than one engine to establish deterioration factors, average the deterioration factors from all the engines before rounding.

(7) If your durability engine fails between 80 percent and 100 percent of useful life, you may use the last emission measurement as the test point representing the full useful life, provided it occurred after at least 80 percent of the useful life.

(8) If your useful life is 1,000 hours or longer, and your durability engine fails between 50 percent and 100 percent of useful life, you may extrapolate your emission results to determine the emission level representing the full useful life, provided emissions were measured at least once after 50 percent of the useful life.

(9) Use good engineering judgment for all aspects of the effort to establish deterioration factors under this paragraph (b).

(10) You may use other testing methods to determine deterioration factors, consistent with good engineering judgment,

as long as we approve those methods in advance.

(c) Include the following information in your application for certification:

(1) If you determine your deterioration factors based on test data from a different emission family, explain why this is appropriate and include all the emission measurements on which you base the deterioration factor.

(2) If you do testing to determine deterioration factors, describe the form and extent of service accumulation, including the method you use to accumulate hours.

### **§ 1054.250 What records must I keep and what reports must I send to EPA?**

(a) Send the Designated Compliance Officer information related to your U.S.-directed production volumes as described in § 1054.345. In addition, within 45 days after the end of the model year, you must send us a report describing information about engines you produced during the model year as follows:

(1) State the total production volume for each engine family that is not subject to reporting under § 1054.345.

(2) State the total production volume for any engine family for which you produce engines after completing the reports required in § 1054.345.

(3) If you produced exempted engines under the provisions of § 1054.625(j)(1), report the number of exempted engines you produced for each engine model and identify the buyer or shipping destination for each exempted engine.

(4) For production volumes you report under this paragraph (a), identify whether or not the figures include California sales. Include a separate count of production volumes for California sales if those figures are available.

(b) Organize and maintain the following records:

(1) A copy of all applications and any summary information you send us.

(2) Any of the information we specify in § 1054.205 that you were not required to include in your application.

(3) A detailed history of all emission-data engines. For each engine, describe all of the following:

(i) The emission-data engine's construction, including its origin and

buildup, steps you took to ensure that it represents production engines, any components you built specially for it, and all the components you include in your application for certification.

(ii) How you accumulated engine operating hours (service accumulation), including the dates and the number of hours accumulated.

(iii) All maintenance, including modifications, parts changes, and other service, and the dates and reasons for the maintenance.

(iv) All your emission tests, including documentation on routine and standard tests, as specified in part 40 CFR part 1065, and the date and purpose of each test.

(v) All tests to diagnose engine or emission control performance, giving the date and time of each and the reasons for the test.

(vi) Any other significant events.

(4) Production figures for each emission family divided by assembly plant.

(5) Keep a list of engine identification numbers for all the engines you produce under each certificate of conformity.

(c) Keep data from routine emission tests (such as test cell temperatures and relative humidity readings) for one year after we issue the associated certificate of conformity. Keep all other information specified in this section for eight years after we issue your certificate.

(d) Store these records in any format and on any media as long as you can promptly send us organized, written records in English if we ask for them. You must keep these records readily available. We may review them at any time.

**§ 1054.255 What decisions may EPA make regarding my certificate of conformity?**

(a) If we determine your application is complete and shows that the emission family meets all the requirements of this part and the Clean Air Act, we will issue a certificate of conformity for your emission family for that model year. We may make the approval subject to additional conditions.

(b) We may deny your application for certification if we determine that your emission family fails to comply with

emission standards or other requirements of this part or the Clean Air Act. We will base our decision on all available information. If we deny your application, we will explain why in writing.

(c) In addition, we may deny your application or suspend or revoke your certificate if you do any of the following:

(1) Refuse to comply with any testing, reporting, or bonding requirements.

(2) Submit false or incomplete information (paragraph (e) of this section applies if this is fraudulent).

(3) Render inaccurate any test data.

(4) Deny us from completing authorized activities (see 40 CFR 1068.20). This includes a failure to provide reasonable assistance.

(5) Produce engines or equipment for importation into the United States at a location where local law prohibits us from carrying out authorized activities.

(6) Fail to supply requested information or amend your application to include all engines or equipment being produced.

(7) Take any action that otherwise circumvents the intent of the Clean Air Act or this part.

(d) We may void your certificate if you do not keep the records we require or do not give us information as required under this part or the Clean Air Act.

(e) We may void your certificate if we find that you intentionally submitted false or incomplete information.

(f) If we deny your application or suspend, revoke, or void your certificate, you may ask for a hearing (see § 1054.820).

**Subpart D—Production-line Testing**

**§ 1054.300 Applicability.**

This subpart specifies requirements for engine manufacturers to test their production engines for exhaust emissions to ensure that the engines are being produced as described in the application for certification. The production-line verification described in 40 CFR part 1060, subpart D, applies for equipment and components for evaporative emissions.